

REMARKS

In the above-recited Office Action,

1. An Information Disclosure Statement (Form PTO/SB/08A) is enclosed with this amendment.
2. Cancelling of claim 2 is intended to remove Examiner's objection to the drawings.
3. Cancelling of claims 1 and 2 is in response to Examiner's rejection of claims 1 and 2.

With regard to Examiner's rejection of Claim 1 as being unpatentable over Best (2,407,646), applicant respectfully points out that Best does not describe "side panels (5)," but, rather describes, "...oppositely extending side portions 5, extending beyond the front edge of a seat 6..." That is, whereas the side panels 14 and 14' (FIG. 1 and lines 20-23 of the Description of the Preferred Embodiment) of the present invention support the seat and the footrest, the "extending side portions 5" of Best are horizontal portions of the seat, itself. The "extending side portions 5" of the Best chair support neither the seat nor the footrest. Therefore, Best does not disclose all of the claimed elements of the present invention.

Applicant further asserts that it would NOT be obvious to one of ordinary skill in the art at the time of the instant invention to modify the seat disclosed by Best to conform to the dimensions claimed in the present invention. The claimed dimensions are essential features of the present invention as is described in the Specification in order that a user is able to use the invention for putting on and removing footwear.

A user of the present invention faces the chair, turns around, and uses the arms of the chair to lower himself into the seat in preparation for putting on or removing footwear. In contrast, a child using the high chair of Best would never be expected to face the high chair, turn around, and use arms of the high chair to lower himself into the high chair. The dimensions of high chair typically are chosen simply to elevate a child—who normally cannot walk, never mind put on or remove footwear—to a position where a caregiver can conveniently feed the child. The child is a passive user of the high chair. A user of the present invention, on the other hand, is actively involved in its use.

Applicant calls Examiner's attention to the fact that nearly 60 years have passed since the invention of Best during which time other inventors have had ample opportunity to modify the dimensions of the Best high chair in order to achieve the result disclosed in the present application. The passage of such a

large interval of time is evidence that the invention disclosed herein is not an obvious modification of the Best device.

If Examiner has questions concerning this case, please direct any inquiries to Art Carlson at 530-265-0817.

Respectfully submitted,

Arthur J. Carlson
Reg. No. 50,625

Arthur J. Carlson
13127 Woodstock Drive
Nevada City, CA 95959-8101